

MINUTES
REDEVELOPMENT AUTHORITY OF THE CITY OF GREEN BAY
Tuesday, September 8, 2015
City Hall, Room 604
1:30 p.m.

MEMBERS PRESENT: Harry Maier, Chair; Ald. Joe Moore, Melanie Parma, Tom Weber

MEMBERS EXCUSED: Gary Delveaux, Vice-Chair; Matt Schueller, Jim Blumreich

LIAISON REPRESENTATIVES PRESENT: Jeff Mirkes, Tara Gokey

OTHERS PRESENT: Kim Flom, Cheryl Renier-Wigg, Billie Jo Horsens, Kevin King, Krista Baeten, Jim Mueller, Mayor Schmitt, Kevin Vonck, Carol and Larry Ehlinger, Norm and Judy Ray, Alysha and Pat Zellner, Kurt DeKeyser, Todd DeVillers, Kevin ?, Dennis Hocker, Rick Schmitz, DDD Properties, Brad Bohrtz, Pat and Terri Borzick, Leland Marks, Sheri Gauthier, Ald. David Nennig, Larry Collins, Ken and Arliss Kettner, Tracy and Rafael Ramirez, Geralyn Wagner, Adam Gauthier, Tom Matusek, David Charles, and other interested parties

APPROVAL OF AGENDA:

Approval of the agenda for the September 8, 2015, meeting of the Redevelopment Authority.

A motion was made by T. Weber and seconded by Ald. J. Moore to approve the agenda for the September 8, 2015, meeting of the Redevelopment Authority. Motion carried.

APPROVAL OF MINUTES:

Approval of the minutes from the August 11, 2015, regular meeting of the Redevelopment Authority.

A motion was made by Ald. J. Moore and seconded by M. Parma to approve the minutes from the August 11, 2015, regular meeting of the Redevelopment Authority. Motion carried.

COMMUNICATIONS:

1. Letters from U.S. Department of Housing and Urban Development.

A motion was made by T. Weber and seconded by Ald. J. Moore to receive and place on file. Motion carried.

PUBLIC HEARINGS:

2. Public Hearing regarding the creation of Tax Increment District Number 18 (TID 18) University Avenue.

K. Vonck provided a brief overview of the Tax Increment process and the purpose of the Public Hearing. The TID 18 boundaries were reviewed. The area includes a variety of different land uses. The reason for creating the TID is to look at redevelopment in this area. The area has been studied through a long public process. A corridor plan was created and recommends redevelopment in this area. One of the ways to create redevelopment is to create a TID. Over 50% of the parcels within the proposed district have been identified as having the opportunity for redevelopment as a higher use. The plan proposes approximately \$15 million of proposed improvement for infrastructure, pedestrian, bicycle, stormwater, streets, etc.

The Public Hearing process is to get public testimony in terms of: 1) Should the City create the district, 2) Are these the boundaries by which to create the district, and 3) Do we feel these costs are appropriate to help make improvements within the district.

Establishing a TID provides the ability to have a revenue source to put money back into the area for redevelopment. Establishing a TID does not change zoning, property taxes, or require property owners to do anything different with their property. It does provide an opportunity to use extra money from redevelopment project property taxes, instead of bringing them to general fund, to invest them back to the neighborhood for some of the public improvements mentioned in the project plan.

T. Weber stated that the public hearing has been properly posted and public notification has been published in the Green Bay Press Gazette. The RDA is interested in public hearing comments on the subject agenda item. We invite your comments and ask that you provide your name and address, whether you represent a group or association, whether you favor, oppose, or are only providing information on the matter, and your comments. Keep testimony to facts related to the proposal at hand and avoid repetitive testimony. You must be recognized by the Authority in order to speak and address comments to the Chair. Comments to be limited to five minutes for each item.

The Public Hearing was opened.

Carol & Larry Ehlinger, representative of Riviera Lanes, 2450 University Ave – They expressed concerns with proposed plans shown for the Festival Foods development and changing their entrance to be through the Festival Foods parking lot. They expressed concern with being identified as blighted and rehab/conservation and questioned which one they were, what the criteria is for that description, and how they can address changing the label.

K. Vonck stated that the hearing today isn't about any specific project. The TID Project Plan identifies three different sites, but there is no specific plan in terms of infrastructure. There will be another venue for discussion on the Festival Project. The label as blighted and rehab/conservation is not meant to be a bad label, but rather to show that there are other opportunities to increase the property value on the property by doing some remodeling, additions, expansions, or adding another facility. The language is statutory, and changes to the property would not be required.

David Charles, University Mall – He expressed opposition because they are included in the boundaries. He feels the boundaries are far reaching and he would prefer to not be included.

Tom Matusek, owner of Shell gas stations at 2030 and 2590 University - He is slightly opposed to the project. Without knowing the development of University Avenue, it is hard to be in favor or opposed. It's important to see what the road will look like. He questioned where the money comes from and who is eligible for grants from the revenue source. He has concerns with paying money for Kwik Trip to come and be his competition.

K. Vonck explained that the TID is a pot of money that is derived from property taxes. Right now the property taxes from his property go into the general city levy. To create the additional fund to use for other projects such as infrastructure or other developments within the TID, as property values go up due to remodeling, etc., the increased property taxes are put into the TID. The original property taxes, based on the value at the time the district was created, continue to go to the general city levy. Just the taxes generated from improvements can go into the TID fund. Anyone within the TID boundary is eligible to apply for funds. It was also clarified that TID money only goes for public infrastructure. The TID has a 27 year life span, so after that time everything is generated back to the city levy.

Larry Collins, JBS Packerland, 1330 Lime Kiln, representing property at 2532 University – He expressed support of the TID.

Adam Gauthier, 3185 Emery Street, representing his mother - He asked for clarification on the life of the TID. He thought they could only have a 20 year life span.

K. Vonck clarified that a TID can extend 27 years, but new expenditures are allowed only during the first 20 years. It was also clarified that it's not just the City's portion of the tax revenue, it is also the School District and NWTC. Representatives from the City, County, School District, NWTC, and a citizen member serve on a Joint Review Board, which has final authority on approving the TID or not.

A. Gauthier expressed support for the TID and asked that consideration be given to establishing setbacks.

Ken Kettner, homeowner at 2835 University Ave – His property was identified as blighted or rehab/conservation and he questioned what that meant and the statement that blighted properties may be condemned through the process of just compensation for urban renewal.

K. Vonck explained that by State Statute when a municipality establishes a TID and identifies properties as blighted or in need of rehabilitation, it allows the City to pursue a condemnation process. The City is required to put that information in the letter, but the City does not have any plans for condemnation as part of this process. There is a very strict set of statutes and strict process to go through and the end use would have to be

a public use such as a street, etc. The condemnation process can not be done for a private development.

H. Maier asked three times if anyone else wished to speak. The public hearing was closed.

OLD BUSINESS:

None.

NEW BUSINESS:

3. Review and action on Project Plan regarding creation of Tax Increment District Number 18 (TID 18) University Avenue.

K. Vonck explained that there are two parts, items 3 and 4. This request is to adopt the project plan, which contains the boundaries for the district. Within the project plan, he highlighted the TID boundary and the three catalyst sites for focusing redevelopment. These sites are intended to stimulate redevelopment next to them.

H. Maier asked if consideration was given to extending the boundaries further west. K. Flom stated that the University Avenue Corridor Plan was used as a guide to establish the boundaries. Part of this process is reviewing and approving the boundaries and adjustments could be made based on comments received.

K. Vonck provided a further overview of the plan and next steps in the process.

Discussion followed on use of the term blighted and if the letter sent to property owners could explain that the term is required through State Statute and not intended as negative. It was also discussed to include the explanation of increment in the letter or attach a fact sheet to the letter.

Ald. J. Moore expressed his support of the boundary as presented and stated they are dealing with issues such as floodplain compliance, environmental costs, street vacating, sidewalks, utilities, and curb improvements and that is where you have your test of if a development will happen if these things can't be taken care of. It is also important that the plan will not financially affect any of the property owners.

A motion was made by Ald. J. Moore and seconded by M. Parma to recommend the Common Council adopt the TID 18 Boundary and TID 18 Project Plan. Motion carried.

4. Review and action on Resolution approving creation of Tax Increment District Number 18 (TID 18) University Avenue.

Ald. J. Moore made a motion based on the same reasons he previously stated.

A motion was made by Ald. J. Moore and seconded by M. Parma to recommend the Common Council approve Resolution regarding creation of Tax Increment District Number 18 (TID 18) University Avenue. Motion carried.

5. Request to transfer \$240,000 from KI Maintenance Account to Project Expansion Account.

K. Flom explained the reason for the transfer is to finish off the ceiling that is covering the parking area. Pictures were shown. Per the plan set, it is in finished condition for the underside of the expansion area. At grade, it is parking for the Hampton Inn. The Hampton Inn will be installing EFIS up to the top. It is an unfinished look. It also offers potential for birds and other animals to nest. Also, the fireproofing may not last as long because it is not protected from the elements. This isn't a maintenance fund item, but there were other pieces of the project for the expansion that were actually maintenance fund items. A memo was included in the packet listing those items and costs. One of the key pieces was the renovation of the original bathrooms by the original breakout center. It wasn't in the plan set and was an add alternate. There have been other small projects in the existing center along the way to help facilitate the visual transition between spaces such as painting and other small upgrades. Overall the project is on budget, and encouraging news was received that change orders might be moving in a better direction than anticipated. The transfer would free up funds in the expansion account. Any funds left over from this project will be put back into the Maintenance Fund. We propose bidding the ceiling project as a separate contract, rather than administering a change order, to receive the most competitive pricing.

K. Flom noted that the \$150,000 from the Maintenance Fund to help with operating costs for the Clarion has been returned to the Maintenance Fund account, per the Authority's request.

M. Parma stated the important things to consider are that adding the ceiling is added value, and the opportunity to competitively bid it is important. Adding it as a change order could be of concern with additional costs, but due diligence was done in looking at other costs that could be considered maintenance fund expenses.

H. Maier questioned how soon the work can be done. K. Flom will check and report back to the Authority.

A motion was made by M. Parma and seconded by T. Weber to approve \$240,000 from the KI Maintenance Fund to be transferred to the KI Expansion Center Fund in order to reimburse the account for project work that occurred in the existing center, including, but not limited to the renovated bathrooms in the original breakout area and minor improvements to ease the transition between the east and west spaces. Motion carried.

6. Review and approval of Riverview Rooms Naming Rights Agreement.

J. Mueller stated that Dick Resch is donating to have recognition of naming rights over the Riverview Rooms. The agreement was provided, but is still subject to some minor changes.

A motion was made by Ald. J. Moore and seconded by T. Weber to approve the agreement between the City of Green Bay and Richard J. Resch for naming rights to

the KI Convention Center Riverview Rooms, subject to minor legal and technical changes. Motion carried.

7. Request by Economic Development to discuss potential acquisition of Parcel 7-544 (702 N. Quincy Street).

The Authority may convene in closed session pursuant to Section 19.85(1)(e), Wis. Stats., for purposes of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and pursuant to Section 19.85(1)(g), Wis. Stats., for purposes of conferring with legal counsel concerning litigation in which it is or is likely to become involved. The Authority may thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

The closed session notice was read and a motion was made and seconded to convene in closed session. Motion carried. Roll call was taken – present are Harry Maier, Chair; Ald. Joe Moore, Melanie Parma, and Tom Weber.

A motion was made and seconded to return to open session. Motion carried. Roll call was taken - present are Harry Maier, Chair; Ald. Joe Moore, Melanie Parma, and Tom Weber.

A motion was made by Ald. J. Moore and seconded by T. Weber to direct staff to proceed as directed in closed session with the potential acquisition of Parcel 7-544 (702 N. Quincy Street). Motion carried.

8. Request to purchase the following properties using Neighborhood Enhancement Funds:

- 1915 Harold Street
- 1300 E. Walnut Street
- 701 12th Avenue
- 700 11th Avenue
- 2903 West Point Road

C. Renier-Wigg stated that this is the first round of Neighborhood Enhancement purchases since receiving the new funding. She provided an overview of each property.

1915 Harold Street – This property has a history as a problem property. The back half of the lot is in a flood plain, but it will be possible to rebuild on this site. The owner is willing to sell for \$32,500.

1300 E. Walnut Street – This is a vacant lot adjacent to 1308 E. Walnut, which was approved for purchase last month. There is an accepted offer of \$5,000. Staff can combine the parcels, work with the adjacent owner to provide a back yard, and still have a buildable lot for a new single family home.

701 12th Avenue and 700 11th Avenue – This property is on the corner of W. Mason and 12th Avenue and the back yard is on the vacant lot at 700 11th Avenue. The property is

owned by Brown County who obtained it through the tax foreclosure process. Both properties can be purchased for a combined total of \$11,939.95.

2903 West Point Road – This is a commercial building located in a residential neighborhood. It has been sitting vacant for over a year so the property use needs to be residential due to the current zoning. It is blighted and adjacent to a school property. There is an accepted offer of \$33,000. Staff recommends removing the structure and marketing the site.

A motion was made by M. Parma and seconded by Ald. J. Moore to purchase 1915 Harold Street for \$32,500; 1300 E. Walnut Street for \$5,000; 701 12th Avenue for \$8,846.32; 700 11th Avenue for \$3,093.63; and 2903 West Point Road for \$33,000 using Neighborhood Enhancement Funds. Motion carried.

9. Request by Integrity Builders for six month option at 327 S. Quincy Street for new single family house construction.

B. Horsens indicated that the RDA owned this site since January 2011 and has been looking for someone to redevelop it. It is zoned OR. Integrity Builders would like to build a single family home on the site, which will require a conditional use permit. They presented a plan that would fit the character of the neighborhood. They would like a six month option to allow time for due diligence.

Ald. J. Moore stated that he would normally abstain from a request like this because Integrity Home Builders has an account through the Green Bay East Menards Store. However, he is going to vote because any work done on the project would have to be bid through him and he'd have to win the bid. It doesn't impact anything he is doing today.

A motion was made by T. Weber and seconded by M. Parma to authorize staff to execute a six month option that includes a \$500 refundable option fee. Motion carried.

10. Request by Parks Department to use \$35,000 in 2015 CD funds for Fireman's Park improvements.

The 2015 CDBG budget allocated \$200,000 to the Parks Department for their annual allocation. The funding included a project at Fireman's Park. They are currently purchasing equipment and joining with the Green Bay Packers for a build day. The build starts on September 10. The request is to approve \$35,000 of their \$200,000 allocation to go to the Fireman's Park improvements. A drawing of the proposed playground was provided.

A motion was made by Ald. J. Moore and seconded by M. Parma to approve use of \$35,000 in 2015 CD funds for Fireman's Park improvements. Motion carried.

11. Authorization to award contract CD 15-02 Tank Park Splash Pad to low qualified bidder, Peters Concrete Co., in the amount of \$166,407.05.

A motion was made by M. Parma and seconded by Ald. J. Moore to award contract CD 15-02 Tank Park Splash Pad to low qualified bidder, Peters Concrete Co., in the amount of \$166,407.05. Motion carried.

12. Authorization to award contract CD 15-03 Part B - Alley Resurfacing to low qualified bidder, Northeast Asphalt Inc., in the amount of \$105,398.70.

A motion was made by M. Parma and seconded by Ald. J. Moore to award contract CD 15-03 Part B - Alley Resurfacing to low qualified bidder, Northeast Asphalt Inc., in the amount of \$105,398.70. Motion carried.

BILLS:

13. Acceptance of financial report and check register as provided.

A motion was made by Ald. J. Moore and seconded by T. Weber to approve the financial report and check register as provided. Motion carried.

INFORMATIONAL:

14. Director's Report and Project Updates.

K. Flom provided the following update:

- Regarding the communication from HUD that was received and placed on file, if the proposed rule being considered as part of the budget process that would reduce HOME funds by 93% passes, several of our programs would need to be eliminated, as well as a staff person. Ald. J. Moore requested language that would be needed for a resolution to bring forward to Council. The Authority will also submit a letter to Senators.
- Regarding the Kellogg/Chestnut RFP, one response was received.
- Regarding Hotel Northland, a draft of the building permit set was received.

B. Horsens provided the following update:

- Disposition Report Update – Since the July meeting, seven properties have been disposed of.

H. Maier questioned how CityDeck landing obtained an Occupancy Permit. K. Flom stated that they received a partial Occupancy Permit based on satisfying certain health/life/safety requirements. Tenants were moving furniture into the building without the permit, so that was put to a stop and staff worked with their contractors to get partial occupancy. It is not out of the ordinary for a building to be phased in terms of occupancy.

Chair ruled for adjournment at 3:11 p.m.